

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-4 are pending and stand rejected. Claims 1 and 4 have been amended. Claim 2 has been cancelled.

Claims 1 and 3-4 stand rejected under 35 USC 102(b) as being anticipated by Roth (USP no. 6,370,370).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, independent claim 1 has been amended to more clearly state the invention. More specifically, the claim has been amended to recite that the RSSI includes a narrow filter, a log detector and an ADC for respectively isolating, amplifying and digitally converting a portion of an input signal spectrum.

Support for the amendment may be found at least on page 2, lines 1-9, which state, "[i]n the circuit added for RSSI, the narrow filter NF in parallel to the input of last amplifier A5 passes only part of the wanted signal spectrum to the logarithmic detector, while power from the adjacent channels will sufficiently be suppressed. Since the power of the wanted signal is equally distributed over the bandwidth, the partial spectrum still relates to the power of the wanted signal. The wanted signal power at filter input will vary not more than 30 dB, so the same holds for the output of the logarithmic detector log, which is the input of the linear 5 bit ADC. Since 5 bits corresponds with 32 levels, the 30 dB range can be read-out in steps < 1 dB, and is made available via an I2C bus." Claim 1 has further been amended to include the subject matter recited in claim 2. Although claim 2 has been rejected under the teachings of Roth and Culpepper it will be shown that independent claim 1, as amended, is neither anticipated by Roth nor rendered obvious by the combination of Roth and Culpepper.

Roth discloses a circuit including a switch that "alternately supplies a first signal upstream of [a] channel filter and a second signal downstream from the channel filter to [a] signal-strength detection unit." (see Abstract). Although Roth discloses a signal-

strength detection unit, Roth fails to teach or disclose a narrow-band filter or a log detector as being components of the signal-strength detection unit.

Culpepper discloses a method and apparatus for locating and tracking a portable transmitter that may be deposited with currency or other items desired to be tracked. (see Abstract). Culpepper discloses an RSSI element (see Figure 9). However, Culpepper fails to disclose the components of the RSSI element.

It is well recognized that to constitute a rejection pursuant to 35 USC §102, i.e., anticipation, all material elements recited in a claim must be found in one unit of prior art.

Roth cannot be said to anticipate the present invention, because Roth fails to disclose each and every element recited in the claims.

With regard to the rejection of claim 2 under 35 USC 103, now amended claim 1, applicant submits that a claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Neither Roth nor Culpepper, individually or in combination, teach or suggest all the elements recited in the above referred-to claims. Hence, even if the teachings of Roth and Culpepper were combined, the combination would not include all the elements claimed.

For at least this reason, applicant submits that the rejection of independent claim 1, as amended, has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining claims these claims ultimately depend from independent claim 1, which has been shown to contain subject matter not disclosed by, and, hence, allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Accordingly, applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claim 2 stands rejected under 35 USC 103(a) as being unpatentable over Roth in view of Culpepper (USP no. 5,657,026).

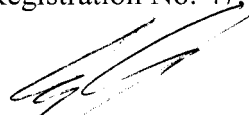
Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, applicant has requested claim 2 be cancelled and, hence, the reason for the rejection is no longer relevant.

For at least this reason, applicant respectfully requests that the rejection be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

David Barnes
Registration No. 47,407



By: Steve Cha
Attorney for Applicant
Registration No. 44,069

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Mail all correspondence to:

David Barnes, Registration No. 47,407
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615